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May 30, 2014

**VIA CM/ECF & FIRST CLASS MAIL**

The Honorable Faith S. Hochberg, U.S.D.J.  
United States District Court  
for the District of New Jersey  
Martin Luther King, Jr. Federal Building  
& U.S. Courthouse  
50 Walnut Street  
Newark, NJ 07101

The Honorable James B. Clark, III, U.S.M.J.  
United States District Court  
for the District of New Jersey  
Martin Luther King, Jr. Federal Building  
& U.S. Courthouse  
50 Walnut Street  
Newark, NJ 07101

**Re: *Ator Limited v. Comodo Holdings Limited*, Civ. No. 2:12-3083-DMC-JBC**

Dear Judges Hochberg and Clark:

This firm represents Defendant Comodo Holdings Limited. We write jointly on behalf of Comodo and BXQ, LLC to request a stay of two pending motions in advance of the settlement conference scheduled for July 24, 2014.

The only remaining issues in this litigation concern Comodo's Third-Party Complaint against BXQ and BXQ's counterclaims against Comodo. Plaintiff Ator Ltd. and Comodo have resolved their respective claims against the other and Ator has been dismissed from this action pursuant to the stipulation of all of the parties. (ECF No. 93.) Comodo and Third-Party Defendant Elvate.com, LLC (incorrectly pleaded as Elvate, LLC) have also resolved their respective claims against the other and anticipate filing a stipulation of dismissal shortly.

Comodo previously moved to dismiss all of Ator, Elvate, and BXQ's claims directed at Comodo (ECF Nos. 49 & 69); Ator and BXQ moved for leave to file amended pleadings (ECF Nos. 57 & 76). In light of Comodo and Ator's settlement, the Court, on April 28, 2014, administratively terminated all pending motions and ordered the parties to file revised motions. (ECF No. 94.) On May 14, 2014, BXQ filed a revised motion for leave to file an amended third-party counterclaim. (ECF No. 97.) On May 16, 2014, Comodo filed a revised motion to dismiss BXQ's Third-Party

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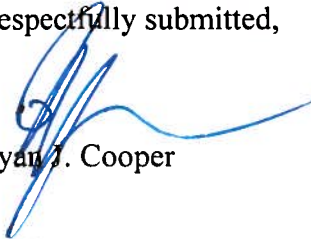
May 30, 2014

Counterclaim.<sup>1</sup> (ECF No. 98.) Both motions are set for June 16, 2014. The parties' respective responses are due June 2, 2014. The Court has also set a settlement conference currently scheduled for July 24, 2014.

In light of the pending settlement conference, at which all remaining claims may be resolved, the parties respectfully request that Comodo's motion to dismiss, and BXQ's motion for leave to file an amended third-party counterclaim, be stayed until the conference. The parties further propose that, should the settlement conference fail to resolve all pending claims, responses to both motions be due fourteen days after the conference, and the reply in support of the Motion to Dismiss be due twenty-one days after the conference.

We thank the Court for its attention to this matter.

Respectfully submitted,



Ryan J. Cooper

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<sup>1</sup> That same day, Comodo filed a Motion on Consent to seal two exhibits submitted in support of its Motion to Dismiss. (ECF No. 99.) As that motion is unopposed, the parties do not seek to stay that motion and respectfully request that it be granted.